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Attorneys for Defendant  
NETFLIX, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

LOUIS GUERRA, JR.,

Plaintiff,

v.

NETFLIX,

Defendant.

Case No. C-07-3343 MJJ

**NOTICE OF NON-RECEIPT OF  
OPPOSITION TO DEFENDANT  
NETFLIX, INC.'S MOTION FOR  
INTRADISTRICT TRANSFER TO SAN  
JOSE DIVISION**

Hearing Date: 10/2/2007  
Hearing Time: 9:30 a.m.  
Courtroom: 11  
Judge: Hon. Martin J. Jenkins

Complaint filed: June 26, 2007

No Trial Date Set

TO THE ABOVE-ENTITLED COURT AND TO PLAINTIFF PRO SE:

PLEASE TAKE NOTICE that PLAINTIFF LOUIS GUERRA, JR. ("Plaintiff") has not served an opposition to Defendant NETFLIX, INC.'s ("Defendant") motion for an order transferring this matter from the San Francisco Division of the Northern District Court of California ("San Francisco Division") to the San Jose Division of the Northern District Court of

1 California ("San Jose Division").

2 Pursuant to United States District Court, Northern District Local Rules, Rule 7-3,  
3 Plaintiff's opposition papers or statement of non-opposition should have been served and filed no  
4 less than 21 days before the hearing date, or no later than September 11, 2007 (exempting  
5 additional days for mail-service).

6 Due to the failure to timely serve an opposition or statement of non-opposition, and based  
7 on the merits set forth in the moving papers, Defendant respectfully requests that the Court grant  
8 Defendant's Motion in its entirety.

9 Dated: September 14, 2007

Respectfully Submitted,

JACKSON LEWIS LLP

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12 By: /s/  
13 Bradley W. Kampas  
14 Cara Ching-Senaha  
Attorneys for Defendant  
NETFLIX, INC.

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**CERTIFICATE OF SERVICE**

Case Name: Guerra v. Netflix.  
Case No.: USDC-ND; CV07-3343 MJJ

I, Cheryl K. Baltru, declare that I am employed with the law firm of Jackson Lewis LLP, whose address is 199 Fremont Street, 10th Floor, San Francisco, California 94105; I am over the age of eighteen (18) years and am not a party to this action.

On September 14, 2007, I served the attached **NOTICE OF NON-RECEIPT OF OPPOSITION TO DEFENDANT NETFLIX, INC.'S MOTION FOR INTRADISTRICT TRANSFER TO SAN JOSE DIVISION**, in this action by placing a true and correct copy thereof, enclosed in sealed envelopes addressed as follows:

Louis Guerra, Jr.  
1533 Foxdale Court  
San Jose, CA 95122

*Plaintiff Pro Se*

☒ **BY MAIL:** United States Postal Service by placing sealed envelopes with the postage thereon fully prepaid, placed for collection and mailing on this date, following ordinary business practices, in the United States mail at San Francisco, California.

☐ **BY HAND DELIVERY:** I caused such envelope(s) to be delivered by hand to the above address.

☐ **BY OVERNIGHT DELIVERY:** I caused such envelope(s) to be delivered to the above address within 24 hours by overnight delivery service.

☐ **BY FACSIMILE:** I caused such document to be transmitted by facsimile from our fax number (415) 394-9401 to the fax number indicated above (by written agreement, confirming letter dated and signed MM/DD/YY).

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on September 14, 2007, at San Francisco, California.

\_\_\_\_\_  
/s/  
Cheryl K. Baltru